

## **AMENDMENTS AND LISTING OF CLAIMS**

### **Amendments to the Claims:**

This listing of claims will replace all prior versions and listings of claims in the application.

### **Listing of Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A method for applying a cardiac support device to a heart of a mammal; the method comprising:
  - (a) surgically accessing a heart, including inserting a delivery device into a thorax of the mammal; the delivery device including a cardiac support device having a jacket;
    - (i) the jacket comprising a continuous flexible mesh net with a base edge, an opposite apex, first and second lateral edges extending from the base edge, and an open slot between the first and second lateral edges; the slot extending from the base edge and terminating at the apex;
    - (ii) the jacket further including:
      - (A) a first anterior strand secured to the base edge adjacent to the first lateral edge;
      - (B) a second anterior strand secured to the base edge adjacent to the second lateral edge;
      - (C) a first posterior strand secured to the base edge and positioned closer to the first anterior strand than to the second anterior strand; and
      - (D) a second posterior strand secured to the base edge and positioned closer to the second anterior strand than to the first anterior strand; and

- ~~(b)~~ ~~providing a cardiac support device including a jacket; and~~
  - (eb) positioning the jacket around at least a portion of the heart by applying a pulling force to the jacket ~~from a position superior to the heart~~ including pulling each of the first anterior, second anterior, first posterior, and second posterior strands to pull the jacket around the heart.
2. (Canceled)
3. (Original) A method according to claim 1 wherein:
- (a) said step of positioning includes:
    - (i) pulling in a first direction a first portion of the jacket onto the heart; and then
    - (ii) pulling in a second direction a second portion of the jacket onto the heart.
4. (Currently Amended) A method according to claim 1 wherein:
- ~~(a)~~ ~~said step of surgically accessing a heart includes surgically inserting a delivery device into a thorax of the mammal; the delivery device including the cardiac support device; and~~
  - (ba) said step of positioning includes surgically inserting a tool into the thorax in a position superior to the delivery device.
5. (Original) A method according to claim 4 wherein:
- (a) said step of positioning includes using the tool to pull the jacket onto the heart.
6. (Original) A method according to claim 5 wherein:
- (a) said step of positioning includes:
    - (i) using the tool to pull in a first direction a first portion of the jacket onto the heart; and then

- (ii) using the tool to pull in a second direction a second portion of the jacket onto the heart.
- 7. (Original) A method according to claim 6 wherein:
  - (a) said step of using the tool to pull in a second direction includes:
    - (i) after using the tool to pull in a first direction a first portion of the jacket onto the heart, removing the tool from the thorax and surgically inserting the tool into another location in the thorax in a position superior to the delivery device.
- 8. (Currently Amended) A method according to claim 7 wherein:
  - (a) said step of using the tool to pull in a first direction includes grasping ~~a first strand secured to the jacket~~ one of the first anterior strand, the second anterior strand, the first posterior strand and the second posterior strand; and
  - (b) said step of using the tool to pull in a second direction includes grasping a ~~second strand secured to the jacket~~ another of the first anterior strand, the second anterior strand, the first posterior strand and the second posterior strand.
- 9. (Canceled)
- 10. (Currently Amended) A method according to claim 9 1 wherein:
  - (a) said step of positioning the jacket around at least a portion of the heart includes:
    - (i) from a first position superior to the heart, pulling the first posterior strand and the second anterior strand;
      - (A) the first posterior strand being pulled under the heart and the second anterior strand being pulled over the heart; and

- (ii) from a second position superior to the heart and lateral to the first position, pulling the second posterior strand and the first anterior strand;
  - (A) the second posterior strand being pulled under the heart and the first anterior strand being pulled over the heart.
- 11. (Original) A method according to claim 10 wherein:
  - (a) before pulling the first posterior strand and the second anterior strand, surgically inserting a tool through a left intercostal region to the first position and using the tool to pull, individually, the first posterior strand and the second anterior strand; and
  - (b) before pulling the second posterior strand and the first anterior strand, surgically inserting the tool through a right intercostal region to the second position and using the tool to pull, individually, the second posterior strand and the first anterior strand.
- 12. (Original) A method according to claim 11 wherein:
  - (a) said step of surgically inserting a delivery device into a thorax includes inserting the delivery device into the thorax to a position inferior to an apex of the heart.
- 13. (Original) A method according to claim 12 further including:
  - (a) after pulling the first posterior strand, second anterior strand, second posterior strand, and first anterior strand, advancing the delivery device into the thorax to a position under the heart.
- 14. (Original) A method according to claim 13 wherein:
  - (a) the jacket further includes an apex strand secured to the apex of the jacket; and

- (b) after advancing the delivery device, the step of positioning the jacket includes pulling the first posterior strand, second posterior strand, and apex strand.
15. (Original) A method according to claim 14 further including:
- (a) after the step of advancing the delivery device and pulling the first posterior strand, second posterior strand, and apex strand, removing the delivery device from the thorax.
16. (Original) A method according to claim 15 wherein:
- (a) after removing the delivery device from the thorax, the step of positioning the jacket includes:
    - (i) pulling the first anterior strand to pull the first lateral edge and a portion of the jacket over the heart, and
    - (ii) pulling the second anterior strand to pull the second lateral edge of the jacket over the heart and adjacent to the first lateral edge.
17. (Original) A method according to claim 16 further including:
- (a) after said step of positioning, closing the slot by securing the first lateral edge to the second lateral edge.
18. (Currently Amended) A method according to claim 9 1 wherein:
- (a) said step of surgically accessing a heart includes performing an intercostal incision and inserting a the delivery device;
    - (i) the delivery device including a tube with an interior, an open insertion end, and an opposite end;
      - (A) the tube including a plurality of notches at the insertion end; each of the first anterior strand, second anterior strand, first posterior strand, and second posterior strand being separately held within a respective one of the notches;

(B) the jacket being held within the interior of the tube.

19. (Withdrawn) A device for placing a cardiac support jacket onto a heart; the device comprising:
- (a) a first tubular wall having an open insertion end, an opposite end, and an internal surface;
    - (i) the insertion end defining a plurality of slots; and
  - (b) a second tubular wall oriented within the first tubular wall and against the first tubular wall internal surface; the second tubular wall having:
    - (i) first and second opposite ends;
    - (ii) a plurality of grooves extending at least partially between the first and second ends;
    - (iii) an open interior volume constructed and arranged to hold a cardiac support jacket.
20. (Withdrawn) A device according to claim 19 wherein:
- (a) said insertion end defines an oblique opening relative to the first tubular wall; the oblique opening including an elongate face;
    - (i) said plurality of slots being located in the elongate face;
  - (b) said plurality of grooves extend completely between the first and second ends of the second tubular wall; and
  - (c) there is an equal number of slots as grooves.
21. (Withdrawn) A device for placing a cardiac support jacket onto a heart; the device comprising:
- (a) a tubular wall having an open insertion end, an opposite end, an internal surface, and an open interior volume;

- (i) a plurality of lumens extending at least partially between the insertion end and the opposite end, each lumen of the plurality of lumens defining a lumen open volume;
  - (ii) the insertion end defining a plurality of notches; each notch of the plurality of notches being in the internal surface of the tubular wall and in communication with a respective lumen open volume; and
  - (iii) the open interior volume constructed and arranged to hold a cardiac support jacket.
- 22. (Withdrawn) A device according to claim 21 wherein:
  - (a) said insertion end defines an oblique opening including an elongate face;
    - (i) said plurality of notches being located in the elongate face;
  - (b) each lumen of said plurality of lumens extends completely between the insertion end and the opposite end; and
  - (c) there is an equal number of notches and lumens.
- 23. (Withdrawn) A device according to claim 22 further comprising:
  - (a) an end cap covering the opposite end; the endcap including a strand-holding groove and a holding slot there within.
- 24. (Withdrawn) A device according to claim 21 wherein:
  - (a) said tubular wall is constructed of a material having a flexibility that is greater than a flexibility of a human rib.